



THE HUMANE SOCIETY
OF THE UNITED STATES

Testimony in Opposition to SB 1236
House Agriculture Committee
November 28, 2012

On behalf of The Humane Society of the United States and our Michigan members and supporters, thank you for the opportunity to submit testimony in opposition to SB 1236. This bill would significantly weaken Michigan's Large Carnivore Act, which currently prohibits private possession and direct contact with large carnivores including bears and big cats. It would allow Michigan's bear exhibitors, with a history of serious welfare and safety issues, to endanger the public by allowing them to handle and come into contact with bear cubs up to about 9 months of age.¹²³⁴⁵

The practice of handling and using bear cubs for photo opportunities with the public seriously compromises animal welfare and threatens public safety. It is extremely stressful for bear cubs to be prematurely removed from the nurturing care of their mothers—a common practice to facilitate public handling. During photo and play sessions with the public, the cubs may also be exposed to abusive and excessive handling. Young cubs are capable of inflicting painful injuries and by 9 months of age a healthy black bear cub can weigh more than 65 pounds.

SB 1236 will likely result in an increase in the state's captive bear population and unwanted and potentially discarded adult bears and could further burden law enforcement. There is no legitimate justification for amending this long standing law that for over a decade has protected Michigan's bears from being bred for use in this practice.

SB 1236 will allow Michigan's bear exhibitors, which have a history of serious welfare and/or safety issues as summarized below, to endanger the public by allowing direct contact with dangerous wild animals:

Oswald's Bear Ranch in Newberry: In 2010, Dean Oswald's Bear Ranch was cited by the U.S. Department of Agriculture for using physical abuse to discipline a bear cub. A handler hit the bear cub twice while the animal was being used for photo opportunities with the public.⁶ Oswald had previously told a reporter who was handling a bear cub, "If he does something to you that you don't want done, slap him one."⁷ Oswald was apparently informed by state officials in June 2012 that the dangerous practice of allowing the public to handle bear cubs violated state law.⁸

100 Aker Wood in Mayville: During a 2011 pre-license inspection by the USDA, 100 Aker Wood was cited for not having a way to lock out the bears so employees could safely clean the enclosure and inspect the animals. Weeks after the other bears emerged from hibernation, employees discovered a dead bear who had not emerged from hibernation. The inspector wrote, "Had employees had been able to access the enclosure earlier it is possible that the bear may have been provided with treatment."⁹

Dakin's Dream in Ewen: In 2011, the USDA issued an official warning against Dakin's Dream after a member of the public was attacked and injured by a bear. The person entered the bear enclosure to provide water for the animals and was not aware that at least one of the bears was still in the pen. The bear was killed by a state police officer.^{10,11}

Summer Wind Farm in Brown City: In 2012, Summer Wind Farm accepted a settlement agreement with the USDA for chronic, serious Animal Welfare Act violations. The facility was fi-

license suspended for three months, and agreed not to acquire more animals for two years. Among the many violations were citations for a black bear enclosure that was in disrepair with wire panels that were beginning to bend and sag, excessive excreta in the black bear enclosure, and filthy, unsanitary drinking water receptacles.¹²

Wilderness Trail Zoo in Birch Run: A number of disappointed travelers have posted troubling comments at an online travel review site after visiting Wilderness Trail Zoo:

- "The poor animals at this facility have some very small and dirty pens. The poor bear and tigers especially have very little room."¹³
- "We saw a bear that appeared half-dead -- it was very thin, appeared to have skin problems and was not moving. Pacing and lethargic animals were also very common."¹⁴
- "[M]any of the enclosures seemed too confining for the animals ..."¹⁵
- "[T]he habitats for a good many of them are just substandard if not criminal. A lot of the cages have concrete floors and just chain link fence ... the pacing bear is still pacing."¹⁶
- "The bear was pacing the cage and I felt that it was all it had to do."¹⁷
- "Most of the exhibits in this small zoo are too small and completely unlike the natural habitats of the animals within them. We found ourselves just feeling sorry for the animals!"¹⁸

For the reasons cited above, we ask that you reject SB 1236, which would weaken our state's Large Carnivore Act and puts people and animals at risk. Thank you.

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¹ Lee Zion, "Girl bitten at bear park," *Smoky Mountain Times*, September 2, 2010.

² U.S. Department of Agriculture, Complaint, Safari's, Inc., Docket No. AWA 12-0340, April 6, 2012.

³ Garret Mathews, "Tender Moment with Cuddly Cub Almost Unbearable," *Evansville Courier & Press*, July 20, 2005.

⁴ Charles Fiegl, "Game farm cited for violations," *Post-Star*, September 14, 2006.

⁵ U.S. Department of Agriculture, Inspection Report, License #52-C-0035, June 16, 2000.

⁶ U.S. Department of Agriculture, Inspection Report, License #34-C-0123, November 9, 2010.

⁷ Garret Mathews, "Tender moment with cuddly cub almost unbearable," *Evansville Courier & Press*, July 20, 2005.

⁸ meeta4, "You can no longer take pictures with the bear cubs!," TripAdvisor, Oswald's Bear Ranch, July 9, 2012.

⁹ U.S. Department of Agriculture, Inspection Report, Customer #323804, Prelicense #1, September 8, 2011.

¹⁰ U.S. Department of Agriculture, Official Warning, Violation of Federal Regulations, Case #MI-11090, September 19, 2011.

¹¹ U.S. Department of Agriculture, Inspection Report, License #34-C-0297, July 27, 2011.

¹² U.S. Department of Agriculture, Consent Decision and Order, Docket #11-0223, March 8, 2012.

¹³ Amanda S, "Dirty," TripAdvisor, Wilderness Trails Zoo, September 13, 2012.

¹⁴ HomeSweetHome, "Would never go back," TripAdvisor, Wilderness Trails Zoo, July 26, 2012.

¹⁵ MichiganMrs, "Seemed too Confining," TripAdvisor, Wilderness Trails Zoo, July 20, 2012.

¹⁶ jwax67, "The poor animals!!!!," TripAdvisor, Wilderness Trails Zoo, June 17, 2012.

¹⁷ cricketnest, "Very Disappointing Zoo," TripAdvisor, Wilderness Trails Zoo, May 28, 2012.

¹⁸ Migrammi, "Disappointing," TripAdvisor, Wilderness Trails Zoo, September 28, 2011.